

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LAURIE BOYER, *et al.*

Plaintiffs,

v.

SCOTT BROTHERS INVESTMENT
CORPORATION, *d/b/a Waterways
Apartments of Lake St. Louis,*

Defendant.

Case No.: 4:11CV01173 HEA

JURY TRIAL DEMANDED

PLAINTIFFS' MOTION TO LIFT STAY

Plaintiffs Laurie Boyer and Patricia Susan Boyer (collectively “the Boyers”), for their Motion to Lift Stay, state the following:

1. On August 27, 2011, this Court stayed this action pending the resolution of the state court unlawful detainer proceeding. *Doc. 17.*
2. On September 6, 2011, the state court entered Judgment in favor of the Boyers in that matter, and against the landlord. *Exhibit 1, Judgment.*
3. Any appeal rights have passed as more than ten (10) days elapsed since the entry of the Judgment and Plaintiffs have not been served with a *trial de novo*.
4. As a result, the basis for stay of this action is no longer in effect.

WHEREFORE, the Boyers respectfully request that the Court lift its stay of this action, and grant such further relief as deemed appropriate.

Dated: September 21, 2011

Respectfully submitted,

/s/ Andrew W. Kuhlmann

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CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2011 I electronically filed the foregoing, which was served through ECF on all attorneys of record. In addition, I served the foregoing by electronic mail to attorneys for Defendants at:

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/s/ Andrew W. Kuhlmann